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Attorneys for Defendants  
APPIAN CONSTRUCTION CO., INC. and  
1221 MONTICELLO, L.P.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NIC INSURANCE COMPANY, a New  
York corporation

Plaintiff,

vs.

APPIAN CONSTRUCTION CO., INC., a  
California corporation; 1221  
MONTICELLO, L.P., a California Limited  
Partnership; and DOES 1 through 50,  
inclusive

Defendant.

CASE NO. C-07-05988 CW

**DEFENDANTS APPIAN  
CONSTRUCTION CO., INC. AND 1221  
MONTICELLO, L.P.'S REQUEST TO  
APPEAR TELEPHONICALLY AT  
STATUS CONFERENCE**

Date: September 2, 2008  
Time: 2:00 p.m.  
Location: Courtroom 2

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

Defendants APPIAN CONSTRUCTION CO., INC. and 1221 MONTICELLO, L.P.  
respectfully request the Court's permission to appear telephonically at the Status Conference to be  
held on September 2, 2008, at 2:00 p.m., in Courtroom 2, 4<sup>th</sup> Floor, 1301 Clay Street, Oakland,  
CA 94612.

1 DATED: August 18, 2008

JACKSON, DeMARCO, TIDUS  
& PECKENPAUGH

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3 By: s/Edward A. Galloway  
4 Edward A. Galloway  
5 Attorneys for Defendants  
6 APPIAN CONSTRUCTION CO., INC. and  
7 1221 MONTICELLO, L.P.  
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UNITED STATES DISTRICT COURT  
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NIC INSURANCE COMPANY, a New  
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Plaintiff,

vs.

APPIAN CONSTRUCTION CO., INC., a  
California corporation; 1221  
MONTICELLO, L.P., a California Limited  
Partnership; and DOES 1 through 50,  
inclusive

Defendants.

CASE NO. C-07-05988 CW

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' REQUEST TO APPEAR  
TELEPHONICALLY AT STATUS  
CONFERENCE**

Date: September 2, 2008

Time: 2:00 p.m.

Location: Courtroom 2

The Court has duly considered Defendants APPIAN CONSTRUCTION CO., INC. and 1221 MONTICELLO, L.P.'s Motion to Appear by Telephone at Status Conference. The Court hereby grants permission for Defendants to appear telephonically at the Case Management Conference to be held on September 2, 2008, at 2:00 p.m., in Courtroom 2, 4<sup>th</sup> Floor, 1301 Clay Street, Oakland, CA 94612. The direct dial phone number of counsel for Defendants, Edward A. Galloway, is 949.851.7461.

1 IT IS SO ORDERED.

2  
3 DATED: August \_\_, 2008

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4 Honorable Claudia Wilken  
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